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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 PROMEDEV, LLC,

CASE NO. C22-1063JLR

11 Plaintiff,

MINUTE ORDER

12 v.

13 ROBY WILSON, et al.,

14 Defendants.

15 The following minute order is made by the direction of the court, the Honorable
16 James L. Robart:

17 Before the court is Plaintiff Promedev, LLC’s (“Promedev”) motion to dismiss
18 several of Defendant MaXXiMedia Advertising Co.’s (“MaXXiMedia”) amended
19 counterclaims and to strike certain allegations in MaXXiMedia’s amended counterclaim.
20 (Mot. (Dkt. # 26).) Promedev incorrectly identifies the allegations it seeks to strike by
21 citing paragraphs in MaXXiMedia’s original counterclaim instead of in MaXXiMedia’s
22 amended counterclaim. (*See id.* at 16 (indicating intent to strike allegations in support of

MaXXiMedia’s amended counterclaim for copyright infringement), 29 (citing paragraphs in MaXXiMedia’s original counterclaim unrelated to copyright infringement in support of its motion to strike).¹⁾ In its response, MaXXiMedia argues against striking the paragraphs Promedev identifies in MaXXiMedia’s original counterclaim that are largely unrelated to MaXXiMedia’s amended counterclaim for copyright infringement. (See Resp. (Dkt. # 29) at 15-19.) Promedev acknowledges its error in its reply. (Reply at 11 n.3.)

The court ORDERS MaXXiMedia to file supplemental briefing, responding to Promedev's motion to strike paragraphs 42-48 and 55-61 of MaXXiMedia's amended counterclaim. MaXXiMedia's supplemental briefing must be filed no later than February 15, 2023 and may not exceed 2,000 words. Promedev may respond to MaXXiMedia's supplemental briefing no later than February 17, 2023, if at all. Promedev's brief, if any, may not exceed 1,000 words.

Filed and entered this 9th day of February, 2023.

RAVI SUBRAMANIAN
Clerk of Court

s/ Ashleigh Drecktrah
Deputy Clerk

¹ Other than citing the incorrect paragraph numbers, Promedev's motion to strike addresses the allegations related to MaXXiMedia's amended counterclaim for copyright infringement. (*See id.* at 29-30; Reply (Dkt. # 30) at 11-12.)